

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/EP2004/006944
 International Filing Date : June 28, 2004
 U.S. Serial No. : 10/562,200
 Deposit Date U.S. Nat'l Phase : December 23, 2005
 Priority Date(s) Claimed : June 26, 2003
 Applicant(s) : Rudolf MOSER et al.
 Title: STABLE PHARMACEUTICAL COMPOSITIONS OF 5,10-METHYLENE
 TETRAHYDROFOLATE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
 UNDER 35 U.S.C. § 371
 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 11213-1450

Sir:

In response to the Notification of Missing Requirements dated September 8, 2006:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of 130.00
- ☒ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No. 338163).
- ☒ Attached is a copy of the Notification of Missing Requirements.
- ☒ This application does not contain a Sequence Listing.
- ☐ Applicant(s) are entitled to small entity status.
- ☐ Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- ☐ Attached is a Preliminary Amendment.
- ☐ Applicant(s) include the extra claims fee of \$ for claims in excess of 20 per additional claim, for independent claims in excess of 3 per additional claim, and/or for multiple dependent claims.
- ☐ Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required

11/14/2006 GFREY1

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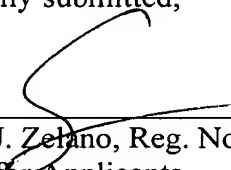
01 FC:1617

130.00 OP

- ☐ Attached is an Application Data Sheet (ADS).
- ☐ Attached are the substitute drawings as required.

Attached is a check in the amount of \$130.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,



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Attorney for Applicants

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Attorney Docket No.: EPROV-0024

Date: November 8, 2006

SEP 13 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO. 10/562,200	FIRST NAMED APPLICANT Rudolf Moser	ATTY. DOCKET NO. EPROV-0024
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INTERNATIONAL APPLICATION NO. PCT/EP04/06944

I.A. FILING DATE 06/28/2004	PRIORITY DATE 06/26/2003
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Millen White Zelano & Branigan
 Arlington Courthouse Plaza 1
 Suite 140
 2200 Clarendon Boulevard
 Arlington, VA 22201

CASE _____
 ACTION *MSg Reg pds*
 DUE DATE *11/8/06*

CONFIRMATION NO. 4126
 371 FORMALITIES LETTER



OC000000020349300

Date Mailed: 09/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2005
- English Translation of the IA filed on 12/23/2005
- Copy of the International Search Report filed on 12/23/2005
- Copy of IPE Report filed on 12/23/2005
- Preliminary Amendments filed on 12/23/2005
- U.S. Basic National Fees filed on 12/23/2005
- Priority Documents filed on 12/23/2005
- Specification filed on 12/23/2005
- Claims filed on 12/23/2005
- Abstracts filed on 12/23/2005

CASE _____
 ACTION _____
 DUE DATE _____

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Handwritten signature/initials

Total additional fees required for this application is \$130 for a Large Entity:

- o **\$130 Surcharge.**
- o This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- o A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- o For Rules Interpretation, call (571) 272-0951
- o For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- o Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,200	PCT/EP04/06944	EPROV-0024

FORM PCT/DO/EO/905 (371 Formalities Notice)